

VIRGINIA:

120000760

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 11-0517-2944

ELECTIONS: UNIT D20SH
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on September 8, 2011 which was recorded at Document 110002364 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on September 27, 2011, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit D20SH;

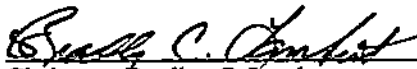
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.


Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 2 day of April, 2012, by a majority of the Virginia Gas and Oil Board.

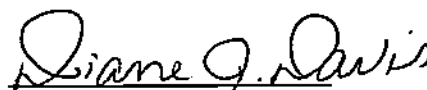

Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 2nd day of April, 2012, by Order of the Board.

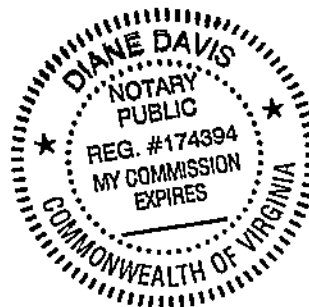

Rick Cooper
Principal Executive to the Staff of the Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 2nd day of April, 2012, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit D20SH
VGOB 11-0517-2944 in the Garden District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on September 8, 2011, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on September 27, 2011;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their oil and gas rights, interests and claims to Applicant, all as provided in the Board's Order of September 8, 2011;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

None

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

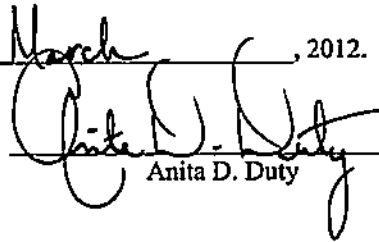
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

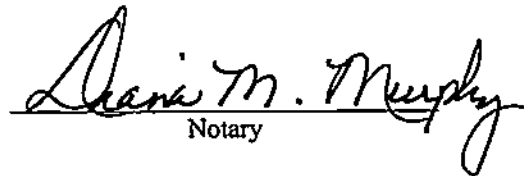
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 19th day of March, 2012.

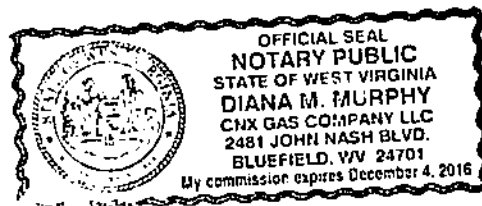

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 19th day of March, 2012.


Notary

My commission expires: December 4, 2016



PROPERTY LINES SHOWN ON THIS
PLAN WERE PROVIDED BY COK GAS LLC
AND WERE TAKEN
FROM DEED DESCRIPTIONS AND CHAIN OF
TITLE OF RECORD.
IT DOES NOT REPRESENT A CURRENT
BOUNDARY SURVEY.
THE CERTIFICATION HEREON CERTIFIES
THE SIZE, SHAPE AND LOCATION OF THE
PROPOSED UNIT.

N 361,587.07
E 980,889.15

320 ACRE UNIT

N 361,448.46
E 984,629.40

TRAIL

Lower Branch

Mt. dway

Big Branch

Dime Creek

638




Lower CT

N 357,848.71
E 980,760.54

N 357,709.75
E 984,491.01

BEARING AND DISTANCE TO NEAREST
WELLS WITHIN 2500' RADIUS OF WELL 020SH
CBM-C19 N 51°42'47" W 1521.3'
CBM-C19A N 56°17'21" W 2488.27'
CBM-D19 S 81°18'31" W 2186.03'
CBM-D20 S 28°47'14" W 1838.53'
CBM-E20 S 20°34'29" E 2286.09'
CBM-D21 S 58°8'35" E 1956.28'
CBM-C21A N 59°35'54" E 1555.52'
CBM-C20 N 19°0'12" E 1344.7'

COMMONWEALTH OF VIRGINIA

 CBM WELL
 PROPOSED HORIZONTAL WELL
 PROPOSED CBM WELL

COMMONWEALTH OF VIRGINIA
Richard C. Murphy
 RICHARD C. MURPHY
 Lic. No. 041898
 04/14/11
 PROFESSIONAL ENGINEER

EXHIBIT A
DAKWOOD FIELD
UNIT D20SH
PROVISIONAL
HORIZONTAL DRILLING UNIT
VGOB-11-0517-2944

Form D60-GD-7
Rev. 9/91

Richard C. Murphy (Affix Seal)
Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC

UNIT D20SH

**Tract Identifications
(320 Acre Unit)**

1. Consolidation Coal Company (643 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Below Tiller Coal Leased
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
Highland Resources, Inc./North American Resources Corporation – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased
Plum Creek Timberlands, L.P. – CBM
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC (50%) / Island Creek Coal Company (50%) – Surface
232.45 acres 72.6437%
2. CNX Gas Company LLC (40 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Tyros LTD – Surface
10.93 acres 3.4156%
3. CNX Gas Company LLC (36.51 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Samuel J. Breeding, Jr. – Surface
0.39 acres 0.1219%
4. C. L. Ritter Lumber Company, Tract 13 (575.29 Acre Tract) – Fee
Island Creek Coal Company/Consol Energy, Inc. – Below Drainage Coal Leased
Jewell Smokeless Coal Corporation – Above Drainage Coal Leased
Hard Rock Exploration and Carter Oil & Gas, Inc. – Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
0.45 acres 0.1406%
5. Slocum Land Corporation (222.60 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Below Drainage Coal Leased
Jewell Smokeless Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – CBM Leased
CNX Gas Company LLC/Island Creek Coal Company – Surface
34.38 acres 10.7437%
6. Erma Runals, et al (64 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Below Drainage Coal Leased
Jewell Smokeless Coal Corporation – Above Drainage Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased (83.33%)
Unknown Surface Owner
0.21 acres 0.0656%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

U

CNX Gas Company LLC

UNIT D20SH

**Tract Identifications
(320 Acre Unit)**

7. Consolidation Coal Company, et al Big Vein Tr. 134 (2.08 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
Highland Resources/North American Resources Corporation, et al – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased (1/3)
Plum Creek Timberland, et al - CBM
CNX Gas Company LLC - CBM Leased
CNX Gas Company LLC, et al- Surface
2.78 acres 0.8687%
8. C. L. Ritter Lumber Company, Tract 7 (17.08 Acre Tract) – Fee
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Coal in Tiller and Above Leased
Hard Rock Exploration and Carter Oil & Gas, Inc. - Oil and Gas Leased
CNX Gas Company LLC – CBM Leased
17.55 acres 5.4844%
9. Consolidation Coal Company, et al Big Vein Tr. 69 (57.28 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
Highland Resources/North American Resources Corporation, et al – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased (1/3)
Plum Creek Timberland, et al - CBM
CNX Gas Company LLC - CBM Leased
18.15 acres 5.6719%
- 9A. Unknown Surface Owner
9B. Unknown Surface Owner
9C. Unknown Surface Owner
9D. Unknown Surface Owner
9E. Unknown Surface Owner
9F. Unknown Surface Owner
10. Norfolk Southern Railway Company – All Minerals except Coal Below 800 Feet
Consolidation Coal Company, et al – Coal Below 800 Feet
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Norfolk Southern Railway Company – Surface
1.07 acres 0.3344%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

CNX Gas Company LLC

UNIT D20SH

**Tract Identifications
(320 Acre Unit)**

11. Norfolk Southern Railway Company – All Minerals except Coal Below 800 Feet
Consolidation Coal Company, et al – Coal Below 800 Feet
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Norfolk Southern Railway Company – Surface
0.03 acres 0.0094%
12. Consolidation Coal Company, et al Big Vein Tr. 83 (509.40 Acre Tract) – Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
Highland Resources/North American Resources Corporation, et al – Oil and Gas
CNX Gas Company LLC – Oil and Gas Leased (1/3)
Plum Creek Timberland, et al - CBM
CNX Gas Company LLC - CBM Leased
CNX Gas Company LLC, et al- Surface
0.18 acres 0.0563%
13. Norfolk Southern Railway Company – All Minerals except Coal Below 800 Feet
Consolidation Coal Company, et al – Coal Below 800 Feet
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Drainage Leased
CNX Gas Company LLC – CBM Leased
Norfolk Southern Railway Company – Surface
1.42 acres 0.4438%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Exhibit B-3
Unit D20SH - Provisional Horizontal Drilling Unit
Units D20, D21, E20 & E21
VGOB Docket #11-0517-2944
List of Unleased Owners/Claimants
(320.00 Acre Horizontal Unit)

	Acres in Unit	Percent of Unit
I. OIL & GAS OWNERSHIP		
<u>Tract #4, 0.45 Acres</u>		
(1) C. L. Ritter Lumber Company, Inc. * <i>Tr. 13 (575.29 acre tract)</i> P.O. Box 700 Huntington, WV 25711	0.45 acres	0.1406%
* The Oil & Gas is leased by Hardrock Exploration, Inc. and Carter Oil & Gas, Inc.		
<u>Tract #5, 34.38 Acres</u>		
(1) Slocum Land Corporation <i>(222.60 acre tract)</i> c/o James Schultz 5999 Syringa Drive Victor, ID 83455	34.38 acres	10.7438%
<u>Tract #6, 0.21 Acres</u>		
Erma Runals, et al. <i>(Amy Lee Powers, et al - 64.00 acre tract)</i>	0.21 acres	0.0656%
(2) M. M. Williams Heirs, Devisees, Successors or Assigns (4/5)		
(a) Florence Harris Curtis Heirs, Devisees, Successors or Assigns (1/3)		
(a.1) Humphrey William Curtis, Jr. Heirs, Devisees, Successors or Assigns		
(a.1.1) Sovran Bank, N.A. Devisees, Successors or Assigns		
(a.1.1.a) Mark Douglas Welch 113 Holdsworth Road Williamsburg, VA 23185-5551	0.04 1/6 of 0.21 acres	0.0109%
<u>Tract #7, 2.78 Acres</u>		
(1) Yukon Pocahontas Coal Company, et al. <i>Big Vein Tr 134 (2.08 acre tract)</i>	2.78 acres	0.8687%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.39 acres 1/2 of 2.78 acres	0.4344%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.31 acres 1/9 of 2.78 acres	0.0965%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.15 acres 1/18 of 2.78 acres	0.0483%
<u>Tract #8, 17.55 Acres</u>		
(1) C. L. Ritter Lumber Company, Inc. * <i>Tr. 7 (17.08 acre tract)</i> P.O. Box 700 Huntington, WV 25711	17.55 acres	5.4844%
* The Oil & Gas is leased by Hardrock Exploration, Inc. and Carter Oil & Gas, Inc.		

Exhibit B-3
Unit D20SH - Provisional Horizontal Drilling Unit
Units D20, D21, E20 & E21
VGOB Docket #11-0517-2944
List of Unleased Owners/Claimants
(320.00 Acre Horizontal Unit)

	Acres in Unit	Percent of Unit
<u>Tract #9, 18.15 Acres</u>		
(1) Yukon Pocahontas Coal Company, et al. Big Vein Tr 69 (57.28 acre tract)	18.15 acres	5.6719%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	9.08 acres 1/2 of 18.15 acres	2.8359%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	2.02 acres 1/9 of 18.15 acres	0.6302%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	1.01 acres 1/18 of 18.15 acres	0.3151%
<u>Tract #10, 1.07 Acres</u>		
(1) Norfolk Southern Railway Company	1.07 acres	0.3344%
If no conflict royalties paid to: Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701		
<u>Tract #11, 0.03 Acres</u>		
(1) Norfolk Southern Railway Company	0.03 acres	0.0094%
If no conflict royalties paid to: Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701		
<u>Tract #12, 0.18 Acres</u>		
(1) Yukon Pocahontas Coal Company, et al. Big Vein Tr 83 (509.40 acre tract)	0.18 acres	0.0563%
(a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.09 acres 1/2 of 0.18 acres	0.0281%
(b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651	0.02 acres 1/9 of 0.18 acres	0.0063%
(c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651	0.01 acres 1/18 of 0.18 acres	0.0031%
<u>Tract #13, 1.42 Acres</u>		
(1) Norfolk Southern Railway Company	1.42 acres	0.4438%
If no conflict royalties paid to: Pocahontas Land Corporation Treasurer, Pocahontas Land Corporation P. O. Box 1517 Bluefield, WV 24701		

INSTRUMENT #120000760
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
APRIL 23, 2012 AT 12:14PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GGB